



MOUNTAINS RECREATION & CONSERVATION AUTHORITY
Ramirez Canyon Park
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MEMORANDUM

DATE: 3-23-07
TO: File
FROM: Judi Tamasi
RE: Minutes for the March 9, 2007 Lechuza Beach MRCA-MEHOA
Coordination Meeting at King Gillette Ranch

Date/Time: March 9, 2007, ~10am

Location: King Gillette Ranch, 26416 Mulholland Highway

Attendees:

Malibu Encinal Homeowners Association (MEHOA)-Cathleen Summers, Shari Plummer, Kristin Kiefer, Jane Boeckmann
Mountains Recreation and Conservation Authority (MRCA)-Joseph Edmiston, Laurie Collins, Stephanie Landregan, Paul Edelman, Judi Tamasi

Agenda: The agenda is as follows and generally followed this order.
(Action items are underlined.)

1. Update on MRCA studies
 - Accessibility Report
 - Biology
 - Traffic
 - Supplemental Survey
 - Engineering/Geology
2. Draft Project Schedule
3. Draft Project Figures
4. Draft Management Plan
5. Other MEHOA topics?

1. UPDATE ON MRCA STUDIES

ACCESSIBILITY REPORT

Ms. Tamasi briefly referenced and reviewed the revised accessibility report, including the appendices and color figures, prepared by MIG.

BIOLOGY

Ms. Tamasi briefly referenced the biology baseline report. Ms. Summers/Ms. Plummer expressed concern about protecting the kelp beds. Ms. Plummer asked if the report is considering ESHAs, especially the kelp beds. Ms. Tamasi said she discussed this with the biologist, that this is a terrestrial survey, but we can keep it in mind.

TRAFFIC

Ms. Tamasi stated that the winter baseline survey was completed and that it had to be done quickly, so that it was done in winter. Ms. Tamasi stated that a summer survey would be done.

Ms. Summers and Ms. Plummer mentioned that mid-day does have some activity, and the traffic report survey times (morning and evening) are not representative of typical traffic patterns. Some MEHOA members suggested alternate times for the traffic survey. It was suggested that a supplement traffic survey should include the time period from 10 am to noon by East Sea Level Drive, but this supplemental traffic survey was not necessary at West Sea Level Drive. Ms. Tamasi to coordinate with traffic survey consultant to modify winter survey.

It was discussed that the traffic summer survey should be noon-4 pm for weekday and weekend. Ms. Tamasi to coordinate with traffic survey consultant to modify summer survey.

SUPPLEMENTAL SURVEY

Ms. Tamasi mentioned that MRCA is getting a supplemental legal survey done to map Broad Beach Road encroachments, Lot I encroachments, East Sea Level Drive gate (where some changes would need to be made to improve accessibility), and at West Sea Level Drive overlook (to verify property lines and existing improvements). The engineer needs this supplemental survey.

For the pending supplemental legal survey, Ms. Collins stated that it needed to reflect the Broad Beach Road that exists now. The supplemental legal survey should show the property lines post-tract map on the south side of Broad Beach Road, where it aligns with

West Sea Level Drive. Ms. Tamasi to coordinate with surveyor.

ENGINEERING/GEOLOGY

LOT I

Ms. Plummer asked to look at slides by Lot I (e.g., south end of Lot I).

Laurie said we committed to fix retaining wall by the Bertinelli property (at first platform in Lot I). (The retaining wall is sloughing off.)

At Lot I, Ms. Collins said we would take trees down, move fence west, then Ms. Bertinelli could put more landscaping.

The issue was raised about whether only landscaping was allowed in the easement adjacent to Lot I. Mr. Edmiston stated that an inquiry should be made to the Coastal Conservancy regarding what is allowed in easement adjacent to Lot I, and to check if the intent is public access or landscaping. Ms. Tamasi to inquire to Coastal Conservancy.

MEHOA members inquired about moving the stairway over on the Bertinelli property. Ms. Collins stated that the Bertinelli property has a slope restriction which limits the ability to move across her slope. Mr. Edmiston stated that someone needed to contact Bertinelli and Coastal Commission regarding whether the stairs along Lot I (south end) can be moved west over the Bertinelli property, and a written response was needed. He stated that if the answer is yes, then additional engineering would need to be done and this is a change in scope for engineering and geology. He stated it would cost more because two plans (and engineering) would need to be done; there is no guarantee the more expensive one could be funded. The existing stairs would need to remain to allow current property owners to use it per the reciprocal rights. Ms. Summers to coordinate with Ms. Bertinelli and Coastal Commission to get a response regarding the possibility of moving the Lot I easement within 45 days. Contacts at the Coastal Commission would be Gary Timm or Jack Ainsworth. Ms. Tamasi said 30 days is better because we need to move forward on engineering. Ms. Tamasi will check in with Cathleen within 30 days, so that the engineering can move forward. Ms. Collins to send deed restriction to Cathleen.

2. DRAFT PROJECT SCHEDULE

Ms. Tamasi referenced the draft project schedule.

3. DRAFT PROJECT FIGURES

Ms. Tamasi referenced the three draft project figures.

SEA LEVEL DRIVE PARKING

Regarding potential disabled parking spaces along East Sea Level Drive, Ms. Tamasi stated that a site visit was done. Mr. Edmiston stated that MIG needs to identify specifically what impediments to a ADA pathway would need to be removed in East Sea Level Drive easement for disabled parking. This would be given to MEHOA, then MEHOA would notify neighbors and would have 30 days to respond. Judi to coordinate with Laurel Kelly/MIG.

Ms. Boeckman recommended two spaces at East Sea Level and two spaces at West Sea Level Drive. It was stated that the problems of access at West Sea Level Drive needs to be resolved.

It was discussed that MRCA needs to get requirements on Sea Level Drive with respect to locations of disabled parking and Fire Department turn-arounds from Malibu and Fire Dept. Judi to follow up with City of Malibu and Fire Dept. Ms. Kieffer to email to Judi the Fire Department contact.

Shari said MEHOA also has requirements re: Sea Level Drive. She said it needs to be a 20-foot-wide road.

Cathleen is discussing who owns the easements along West Sea Level Drive (Kennedys, Kieffers). She is trying to get a list of issues (e.g., liability, access concerns). She stated the Kieffers are trying to be cooperative.

Ms. Kiefer showed a portion of a survey at West Sea Level Drive/Broad Beach Road. Laurie to pursue the ownership of the "gray" area.

ACCESS PROJECT IN GENERAL

Mr. Edmiston stated that MIG needs a specific proposal for disabled access (including beach access route, materials, etc.) for what works on this property. He stated that she needs to specify the instrument for the disabled parking reservation system and that MIG should chalk on the ground the proposed parking spaces at Sea Level Drive. This proposal needs to sent to MEHOA to get a response from MEHOA. Ms. Tamasi to work with MIG/engineer on specific proposal.

Regarding a beach access route, Ms. Summers and Ms. Plummer are concerned about protecting the kelp beds. Ms. Plummer prefers a temporary beach access route.

4. DRAFT MANAGEMENT PLAN

BROAD BEACH ROAD

Mr. Edmiston passed out some additional comments (in red-line/strike-out) from MRCA on the draft management plan. Ms. Tamasi asked if MEHOA could hold off on placing no parking signs on the south side of the Broad Beach Road until we get the results from the supplemental survey. It was stated that the north side of Broad Beach Road was not part of MEHOA. Ms. Summers said she would talk with some owners on south side of Broad Beach Road to see if some are willing to grant parking.

DOGS

The dog issue was discussed and it remains a concern to MEHOA and MRCA. Ms. Summers said she needs to go to the Board and community (~91 members) to see if they were willing to change the dog requirement. Ms. Summers said it is in the deed that they are allowed to have dogs. Ms. Collins said it is not allowed on MRCA property, and that there are no dog rights on MRCA property in the deed. Ms. Summers said they need a complete plan to take to members. Mr. Edmiston said that MRCA and MEHOA disagree. Mr. Edmiston said MRCA wants to seek declaratory relief and a Superior Court determination. MRCA will to draft a complaint to show to MEHOA lawyers. He stated that after that, the parties can decide if they need to go to court after discussion. MEHOA members said that they have been negotiating and what is the point of negotiating if MRCA is heading down this path. Ms. Summers stated that they can cooperate, but they cannot make decisions or agree to change 91 members' rights. Ms. Summers stated the issue was really over just about 7 dogs, and that MEHOA members clean up after dog owners.

People needed to leave and the meeting ended.